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Dkt. 47765-C/JPW/EMW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Collin J. Weber, et al.
U.S. Serial No. : 09/049,865 Examiner: M.-T. Davis
U.S. Filing Date: March 27, 1998 Group Art Unit: 1642
For : METHOD OF INHIBITING IMMUNE SYSTEM DESTRUCTION
OF TRANSPLANTED VIABLE CELLS

1185 Avenue of the Americas
New York, New York 10036
September 8, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

[Handwritten signature]
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COMMUNICATION IN RESPONSE TO
AUGUST 9, 1999 RESTRICTION REQUIREMENT

This Communication is submitted in response to the August 9, 1999 Restriction Requirement issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the August 9, 1999 Restriction Requirement is due September 9, 1999. Accordingly, this Communication is being timely filed.

REMARKS

The Examiner stated that restriction to one of the following inventions is required under 35-U.S.C. 121:

Election of the following patentably distinct species of the claimed invention is required:

- A) Hollow fiber, a disc, a sphere, or a microcapsule.
- B) Cells secreting a hormone, or any of the following endocrine cells: insulin-producing cells, hepatocytes, parathyroid cells, pituitary cells, or any of the following neuroectodermal cells: adrenal cells, lymphocytes.